

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**JULIE KEASCHALL, Personal
Representative of the Estate of Kurtis
Keaschall, deceased and DAWSON
PUBLIC POWER DISTRICT,**

Plaintiffs,

VS.

**ALTEC INDUSTRIES, INC. and
OSBORNE INDUSTRIES, INC.**

Defendants.

CIVIL ACTION NO.: 4:14-CV-03070

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, Osborne Industries, Inc. and Altec Industries, Inc. respectfully move this Court, pursuant to Federal Rule of Civil Procedure 56(c), for an Order granting summary judgment in their favor.

In support of this Motion, Defendants state that, as more fully explained in their accompanying Brief and supporting documents, Plaintiff has no evidence to support the essential elements of her legal claims, including but not limited to evidence proving that any product manufactured or designed by one or both Defendants was defective or that any alleged product defect caused the injuries of Kurtis Keaschall. In light of the pleadings on file and the Index of Evidence submitted in support of this Motion, Defendants are entitled to judgment as a matter of law.

Defendants, therefore, respectfully request that the Court enter an Order in their favor, granting summary judgment on all of Plaintiff's claims.

Dated this 10th day of May, 2017

OSBORNE INDUSTRIES, INC., and ALTEC
INDUSTRIES, INC. Defendants,

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CERTIFICATE OF SERVICE

I electronically filed the foregoing I electronically filed the foregoing ***Defendants'***
Motion for Summary Judgment on this 10th day of May, 2017, with the Clerk of the
Court using the CM/ECF system, which will send notification of such filing to the
following:

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